

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – October 11, 2012**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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**PRESENT:**

**Chairwoman:** Catherine M. Doyle (*voting on items 1 - 73* )

**Members:** Henry P. Szymanski (*voting on items 1 - 73* )  
Donald Jackson (*voting on items 1 - 73* )  
Martin E. Kohler (*voting on items 1 – 44, 46 - 73* )  
Jose L. Dominguez (*excused* )

**Alt. Board Members:** Leni M. Siker (*voting on items 45* )

START TIME: 4:05 p.m.

End Time: 8:40 p.m.

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| <u>Item No.</u>         | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>    |
|-------------------------|--------------------------------|--|---------------------------------------|
| 1                       | 31650<br>Use Variance          | L. C. Martin<br>Property Owner<br><br>Request to occupy a portion of the premises as heavy motor vehicle outdoor storage facility. | 2487 W. Fond Du Lac Av.<br>15th Dist. |
| Action:                 |                                | Dismissed  |                                       |
| Motion:                 |                                | Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.   |                                       |
| Vote:                   |                                | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                       |
| Conditions of Approval: |                                | --   |                                       |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                              |
|-----------------|--------------------------------|--|---|
| 2               | 31692<br>Special Use           | Hane Xayboury<br>Lessee<br><br>Request to add a motor vehicle repair facility to the existing Board approved body shop (this is a new operator).   | 6027 W. Villard Av. A<br>A/K/A 6027 W. Villard Av.<br>2nd Dist. |
|                 | Action:                        | Dismissed  |   |
|                 | Motion:                        | Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | --   |   |
| 3               | 31585<br>Special Use           | Warren Street Partners, LLC<br>c/o Monroe Investment Partners, LLC;Property Owner<br><br>Request to raze the existing structures and to occupy the premises as a parking lot.  | 1724 N. Warren Av.<br>3rd Dist.                                 |
|                 | Action:                        | Dismissed  |   |
|                 | Motion:                        | Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | --   |   |
| 4               | 31946<br>Special Use           | Clare Wein<br>Property Owner<br><br>Request to continue occupying the premises as a day care center for 3 children per shift infant to 12 years of age, operating Monday - Friday 7:30 a.m. - 5:30 p.m., and to allow a freestanding sign. | 1541 E. North Av.<br>3rd Dist.                                  |
|                 | Action:                        | Dismissed  |   |
|                 | Motion:                        | Henry Syzmanski moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | --   |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b> |
|------------------------|---------------------------------------|---|---|
| 5                      | 32021<br>Dimensional<br>Variance      | Jerry Macklin<br>Property Owner<br><br>Request to increase the lot size and allow a single-family dwelling that does not meet the minimum required south setback (required 3.5 ft. / proposed 2.08 ft.) and the minimum required combined side yard setback (required 5 ft. / proposed 3.43 ft.). | 1919 N. 2nd St.<br>6th Dist.              |
|                        | Action:                               | Dismissed   |   |
|                        | Motion:                               | Henry Syzmanski moved to dismiss the appeal. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                        | Conditions of Approval:               | --  |   |
| 6                      | 31998<br>Special Use                  | LaTanya Cosey<br>Lessee<br><br>Request to continue occupying the premises as a day care center for 82 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight (this is a new operator).  | 3735 N. 35th St.<br>7th Dist.             |
|                        | Action:                               | Dismissed   |   |
|                        | Motion:                               | Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.  |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                        | Conditions of Approval:               | --  |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                         |
|-----------------|----------------------------|---|--|
| 7               | 32023<br>Extension of Time | SDC Social Development Commission<br>Head Start; Lessee<br><br>Request for an extension of time to comply with the conditions of case #31115.   | 7833 W. Capitol Dr.<br>A/K/A 3975 N. 78th St.<br>5th Dist. |
|                 | Action:                    | Granted   |  |
|                 | Motion:                    | Henry Szymanski moved to grant the request. Seconded by Donald Jackson.   |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |  |
|                 | Conditions of Approval:    | <p>EXTENSION OF TIME REQUEST GRANTED FOR ONE YEAR. Must comply with the conditions of case #31115 below:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the petitioner must meet with the Zoning Administration Group to review landscaping and screening issues within 60 days of Board approval of the Special Use. landscaping or fencing may be required for the W. Capitol Dr. and N. 79th St frontages to be in compliance with previous BOZA approvals. If the Zoning Administration Group determines that landscaping is feasible then the petitioner must submit a landscape and screening plan to the Board of Zoning Appeals for Zoning Administration Group review and approval prior to the issuance of any permits.</li> <li>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>7. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 22, 2021.</li> </ol> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u>                   | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                            |
|-----------------|--|---|---|
| 8               | 31952<br>Special Use/<br>Dimensional<br>Variance | New Waico Development Company<br>Limited Partnership<br>Property Owner<br><br>Request to continue occupying the<br>premises as a community center that does<br>not meet the minimum required front<br>setback (required 20ft. / proposed 0ft.),<br>and exceeds the maximum allowed wall<br>sign display area (allowed 18sq.ft. /<br>proposed 64sq.ft.).   | 1800 N. 12th St.<br>A/K/A 1111 W. Reservoir Av.<br>15th Dist. |
|                 | Action:  | Granted 10 yrs.   |   |
|                 | Motion:  | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:  | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of<br>Approval:                       | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That these Variances are granted to run with the land.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                         |
|-----------------|--------------------------------|--|--|
| 9               | 32007<br>Special Use           | Galst Foods Properties, LLC<br>Mark Teper;Property Owner<br><br>Request to continue occupying the premises as an indoor storage facility.  | 1500 W. North Av.<br>A/K/A 1504 W. North Av.<br>15th Dist. |
|                 | Action:                        | Granted 15 yrs.  |  |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p> |  |

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|------------------------|---------------------------------------|---|--|
| 10                     | 32045<br>Special Use                  | Deneta Harrington<br>Lessee<br><br>Request to increase the hours of operation from Monday - Friday 6:00 a.m. - 7:00 p.m. to Monday - Friday 6:00 a.m. - midnight and continue occupying the premises as a day care center for 31 children per shift infant to 12 years of age.<br><br>Action: Granted 3 yrs.<br><br>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>8. That the facility does not exceed a capacity of 30 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 30 children.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> | 2836 N. Teutonia Av.<br>A/K/A 2832 N. Teutonia Av.<br>15th Dist. |

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|-----------------|--------------------------------|--|---|
| 11              | 32042<br>Special Use           | Thomas A Roberts<br>Lessee<br><br>Request to occupy the premises as a hand car wash and detailing facility.  | 4453 N. Green Bay Av.<br>A/K/A 1406 W. Cornell St.<br>1st Dist. |
|                 | Action:                        | Granted 3 yrs.   |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</li> <li>5. That all wastewater is contained on site.</li> <li>6. That the petitioner shall implement and maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on September 24, 2012.</li> <li>7. That all unused driveways be removed and restored to City of Milwaukee specifications. Please note that blocking a driveway with parked cars renders that driveway unused.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |   |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 12              | 32025<br>Special Use           | Rose Northern<br>Lessee  | 4893 N. Green Bay Av.<br>1st Dist. |
|                 |                                | Request to continue occupying the premises as a day care center for 45 children per shift infant to 13 years of age, operating Monday - Sunday 6:00 a.m. - midnight (this is a new operator).  |                                    |
|                 | Action:                        | Granted  |                                    |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That the first floor windows along the building's Green Bay Ave facade remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>8. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>9. That a loading zone be obtained and maintained on North Green Bay Avenue.</p> <p>10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>11. That the facility does not exceed the capacity established by the State Department of Children and Families.</p> <p>12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 8, 2014.</p> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 13              | 32032<br>Special Use           | Waterstone Bank SSB<br>Property Owner  | 5477 N. Hopkins St.<br>1st Dist.   |
|                 |                                | Request to continue occupying the premises as a rooming house for 34 occupants.  |                                    |
|                 | Action:                        | Granted 5 yrs.   |                                    |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That the opaque fencing screening the premises from abutting properties be maintained.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the petitioner obtains a Rooming House License from the Department of Neighborhood Services.</p> <p>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                            |
|-----------------|--------------------------------|---|---|
| 14              | 32040<br>Use Variance          | Lorena Owens<br>Lessee<br><br>Request to continue occupying the premises as a day care center for 94 children per shift, infant to 13 years of age, operating Monday - Saturday, 5 a.m. to midnight (this is a new operator).   | 3820 W. Florist Av.<br>A/K/A 3812 W. Florist Av.<br>1st Dist. |
|                 | Action:                        | Granted   |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>10. That this Variance is granted for a period of time commencing with the date hereof, and expiring on April 24, 2017.</li> </ol> |   |

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|-----------------|----------------------------------|---|--|
| 15              | 32048<br>Dimensional<br>Variance | <p>Wisconsin Institute for Torah Study<br/>Property Owner</p> <p>Request to erect a wall sign that exceeds<br/>the maximum allowed display area<br/>(allowed 36 sq.ft. / proposed 58 sq.ft.).</p> | <p>3288 N. Lake Dr.<br/>A/K/A 3294 N. Lake Dr.<br/>3rd Dist.</p> |
|                 | Action:                          | Adjourned   |  |
|                 | Motion:                          | This matter was adjourned at the request of an interested party and will be rescheduled for the next available hearing.   |  |
|                 | Vote:                            | --  |  |
|                 | Conditions of<br>Approval:       | --  |  |
| 16              | 32050<br>Dimensional<br>Variance | <p>Robert Frediani<br/>Property Owner</p> <p>Request to construct a detached garage<br/>that does not meet the minimum required<br/>side setback (required 1.5 ft. / proposed 0<br/>ft.).</p>     | <p>2952 N. Summit Av.<br/>3rd Dist.</p>                          |
|                 | Action:                          | Adjourned   |  |
|                 | Motion:                          | This matter was adjourned at the request of staff and will be rescheduled for the next available public hearing.  |  |
|                 | Vote:                            | --  |  |
|                 | Conditions of<br>Approval:       | --  |  |

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|-----------------|----------------------------|---|--|
| 17              | 32004<br>Special Use       | <p>Repairers of the Breach, Inc.<br/>Property Owner</p> <p>Request to continue occupying the premises as a social service facility and a health clinic.</p>   | <p>1335 W. Vliet St.<br/>A/K/A 1329 W. Vliet St.<br/>4th Dist.</p> |
|                 | Action:                    | Granted 10 yrs.   |  |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |  |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |  |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, panhandling, and loud noise including, but not limited to, hiring private personnel.</p> <p>5. That the storefront windows are maintained in a neat and orderly manner</p> <p>6. That the landscaping and screening for the west-abutting sitting area is maintained in a neat and orderly manner.</p> <p>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 18              | 32044<br>Special Use           | P & P Haismaier LLP<br>TRC Global Solutions, Inc.;Property<br>Owner<br><br>Request to continue occupying the<br>premises as a general office.  | 1042 E. Juneau Av. 1<br>4th Dist.  |
|                 | Action:                        | Granted 15 yrs.  |                                    |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of<br>Approval:     | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p> |                                    |

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|-----------------|----------------------------|---|---|
| 19              | 32058<br>Special Use       | Ed Sweeney<br>DBA Sweeney's College Books;Lessee<br><br>Request to continue occupying a portion of the premises as a second-hand sales facility.  | 1400 W. Wells St.<br>A/K/A 1404 W. Wells St.<br>4th Dist. |
|                 | Action:                    | Granted 10 yrs.   |   |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:    | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>5. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>6. That no interior or exterior window or door grates are used.</li> <li>7. That the applicant does not have outdoor storage or display of products or merchandise.</li> <li>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------|---|------------------------------------|
| 20              | 32013<br>Special Use       | Lilya Batuner<br>Lessee   | 8482 W. Hampton Av.<br>5th Dist.   |
|                 |                            | Request to add a body shop to the Board approved motor vehicle sales facility.  |                                    |
|                 | Action:                    | Granted   |                                    |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |                                    |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |                                    |
|                 | Conditions of Approval:    | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>6. That there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</li> <li>7. That parked vehicles shall not block driveways.</li> <li>8. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>9. That no sales vehicles are displayed in the public right-of-way.</li> <li>10. That all motor vehicle body work is performed inside the building with the doors closed. All vehicle painting must comply with requirements chapter 236 of the Milwaukee Code of Ordinances and no painting may be performed until a spray booth is installed under permit, inspected and approved.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on October 14, 2020.</li> </ol> |                                    |



| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                            |
|-----------------|----------------------------|--|---|
| 21              | 31940<br>Special Use       | GRO Family Services, LLC<br>Lessee<br><br>Request to continue occupying the premises as a social service facility.   | 2007 W. Capitol Dr.<br>A/K/A 2011 W. Capitol Dr.<br>6th Dist. |
|                 | Action:                    | Granted 5 yrs.   |   |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>               |
|------------------------|---------------------------------------|--|---|
| 22                     | 32020<br>Dimensional<br>Variance      | Gerald Macklin<br>Property Owner<br><br>Request to divide the existing lot and to allow a new lot that does not meet the minimum required south setback (required 3.5 ft. / proposed 2.69 ft.), and the minimum required combined side yard setback (required 5 ft. / proposed 4.04 ft.).  | 1923 N. 2nd St.<br>A/K/A 1921 N. 2nd St. A<br>6th Dist. |
|                        | Action:                               | Granted  |   |
|                        | Motion:                               | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                        | Vote:                                 | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                        | Conditions of Approval:               | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That these Variances are granted to run with the land.</li> </ol> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                                    |
|-----------------|----------------------------|---|---|
| 23              | 31996<br>Special Use       | United Milwaukee Scrap, LLC<br>Lessee<br><br>Request to continue occupying a portion of the premises as an outdoor salvage operation.   | 3310 W. Fond Du Lac Av.<br>A/K/A 3330 W. Fond Du Lac Av.<br>7th Dist. |
|                 | Action:                    | Granted 5 yrs.  |   |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on October 5, 2010.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for salvage occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u>                       | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                      |
|-----------------|--|---|---|
| 24              | 32046<br>Special Use/<br>Dimensional<br>Variance | Associated Bank<br>Property Owner<br><br>Request to continue occupying the premises as a parking lot that does not meet the minimum required landscaping.   | 5301 W. Leon Tr.<br>7th Dist.                           |
|                 | Action:  | Granted 10 yrs.   |   |
|                 | Motion:  | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:  | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:                          | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That landscaping and screening is maintained in a manner that meets the intent of city code.<br><br>5. That this Special Use and these Variances are granted for a period of ten (10) years, commencing with the date hereof. |   |
| 25              | 32052<br>Special Use                             | Shoua Lue Thao<br>Lessee<br><br>Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator).   | 7016 N. 76th St.<br>A/K/A 7020 N. 76th St.<br>9th Dist. |
|                 | Action:  | Adjourned   |   |
|                 | Motion:  | This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.   |   |
|                 | Vote:  | --  |   |
|                 | Conditions of Approval:                          | --  |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 26              | 32061<br>Special Use           | Cassandra Holley<br>Cassandra Holley Enterprises;Property<br>Owner<br><br>Request to occupy the premises as a day<br>care center for 50 children per shift infant<br>to 12 years of age, operating 5:30 a.m. to<br>8:00 p.m. Monday - Friday.   | 9049 N. 76th St.<br>9th Dist.      |
|                 | Action:                        | Granted   |                                    |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |                                    |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |                                    |
|                 | Conditions of<br>Approval:     | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>8. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on February 18, 2014.</p> |                                    |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>  |
|-----------------|----------------------------|--|---|
| 27              | 32005<br>Special Use       | <p>Scrub Appleton LLC, Scrub-A-Dub<br/>Mary C. Mc Intosh;Property Owner</p> <p>Request to continue occupying the premises as a car wash.</p> <p>Action: Adjourned</p> <p>Motion: This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>  | <p>7315 W. Appleton Av.<br/>A/K/A 7327 W. Appleton Av.<br/>10th Dist.</p> |
| 28              | 32055<br>Special Use       | <p>City Kids Learning Academy<br/>Venner Alston;Lessee</p> <p>Request to continue occupying the premises as a day care center for 40 children per shift 3 - 5 years of age, operating Monday - Friday 7:30 a.m. - 5:30 p.m. .</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>5. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol> </p> | <p>921 N. 49th St.<br/>A/K/A 917 N. 49th St.<br/>10th Dist.</p>           |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>    |
|-----------------|----------------------------|--|---------------------------------------|
| 29              | 31978<br>Special Use       | Elizabeth Di Stefano<br>Property Owner   | 4630 W. Forest Home Av.<br>11th Dist. |
|                 |                            | Request to continue occupying the premises as a fast-food / carry-out restaurant.  |                                       |
|                 | Action:                    | Granted 10 yrs.  |                                       |
|                 | Motion:                    | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                       |
|                 | Vote:                      | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                       |
|                 | Conditions of Approval:    | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |                                       |

| <u>Item No.</u> | <u>Case No./ Case Type</u>    | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                       |
|-----------------|-------------------------------|--|--|
| 30              | 32027<br>Special Use          | Warren Daniel Real Estate, LLC<br>Lessee<br><br>Request to continue occupying the premises as a parking lot.   | 3151 S. 27th St.<br>A/K/A 3155 S. 27th St.<br>11th Dist. |
|                 | Action:                       | Granted 10 yrs.  |  |
|                 | Motion:                       | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                         | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:       | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner shall maintain landscaping and screening in accordance with the landscape plan approved by the Department of City Development on November 30, 2007.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |  |
| 31              | 32056<br>Dimensional Variance | Dave Renock<br>Property Owner<br><br>Request to construct a detached garage that exceeds the maximum allowed height (allowed 15 ft. / proposed 19 ft.).  | 3849 S. 55th St.<br>11th Dist.                           |
|                 | Action:                       | Adjourned  |  |
|                 | Motion:                       | This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing.   |  |
|                 | Vote:                         | --   |  |
|                 | Conditions of Approval:       | --   |  |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                                 |
|-----------------|--------------------------------|--|--|
| 32              | 32043<br>Special Use           | The Bridge Health Clinics & Research Centers, Inc.<br>Lessee   | 611 W. National Av.<br>A/K/A 611 W. National Av. 301<br>12th Dist. |
|                 |                                | Request to occupy a portion of the premises as a health clinic.  |  |
|                 | Action:                        | Granted 5 yrs.   |  |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business-B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                        |
|-----------------|--------------------------------|---|---|
| 33              | 31962<br>Special Use           | Smiling Faces Learning Center<br>Lessee<br><br>Request to continue occupying the premises as a day care center for 30 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.   | 1926 W. Arrow St.<br>A/K/A 1432 S. 20th St.<br>12th Dist. |
|                 | Action:                        | Granted 5 yrs.  |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. Specifically that wall signage shall not exceed 18 sq.ft. per street frontage.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the storefront windows remain as transparent glass and are maintained in an attractive manner.</li> <li>7. That a loading zone be obtained and maintained on South 20th Street.</li> <li>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>9. That the facility does not exceed the capacity established by the State Department of Children and Families.</li> <li>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u>                       | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                               |
|-----------------|--|---|--|
| 34              | 32017<br>Special Use/<br>Dimensional<br>Variance | Miguel Arvelo<br>Property Owner<br><br>Request to continue occupying the premises as an assembly hall.  | 935 W. National Av.<br>A/K/A 939 W. National Av. A<br>12th Dist. |
|                 | Action:  | Adjourned   |  |
|                 | Motion:  | This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing.  |  |
|                 | Vote:  | --  |  |
|                 | Conditions of Approval:                          | --  |  |
| 35              | 32038<br>Use Variance                            | Jeri Kavanaugh<br>Lessee<br><br>Request to occupy a portion of the premises as a second-hand sales facility.  | 420 S. 1st St.<br>A/K/A 420 S. 1st St. 5<br>12th Dist.           |
|                 | Action:  | Granted 5 yrs.  |  |
|                 | Motion:  | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |  |
|                 | Vote:  | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |  |
|                 | Conditions of Approval:                          | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.<br><br>5. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner.<br><br>6. That the applicant does not have outdoor storage or display of products or merchandise.<br><br>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.<br><br>8. That this Variance is granted for a period of five (5) years, commencing with the date hereof. |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                         |
|-----------------|--------------------------------|--|--|
| 36              | 32078<br>Special Use           | Ziegler Bence Partners 5, LLC<br>Property Owner<br><br>Request to occupy the premises as a<br>general office.  | 1301 W. Canal St.<br>A/K/A 1235 W. Canal St.<br>12th Dist. |
|                 | Action:                        | Granted 15 yrs.  |  |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of<br>Approval:     | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p> |  |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                                  |
|-----------------|----------------------------|--|---|
| 37              | 31909<br>Special Use       | <p>Christos Karampelas<br/>Lessee</p> <p>Request to allow a freestanding sign that exceeds the maximum allowed height (allowed 15 ft. / proposed 21 ft.) and the maximum allowed display area (allowed 50 sq.ft. / proposed 114 sq.ft.) and to continue occupying the premises as a fast-food / carry-out restaurant with a drive-through facility.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That these Variances are granted to run with the land.</li> <li>8. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> | <p>530 W. Layton Av.<br/>A/K/A 528 W. Layton Av.<br/>13th Dist.</p> |

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|-----------------|--------------------------------|--|--|
| 38              | 31975<br>Special Use           | Shane Linskey<br>Lessee<br><br>Request to occupy a portion of the premises as a second-hand sales facility.                    | 4202 S. Howell Av.<br>A/K/A 4200 S. Howell Av.<br>13th Dist.   |
|                 | Action:                        | Adjourned  |  |
|                 | Motion:                        | This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing. |  |
|                 | Vote:                          | --   |  |
|                 | Conditions of Approval:        | --   |  |
| 39              | 32030<br>Special Use           | Ish Dhawan<br>Lessee<br><br>Request to continue occupying the premises as a motor vehicle filling station.                     | 1930 W. Morgan Av.<br>A/K/A 3468 Adj S. 20th St.<br>13th Dist. |
|                 | Action:                        | Adjourned  |  |
|                 | Motion:                        | This matter was adjourned at the request of an interested party and will be rescheduled for the next available public hearing. |  |
|                 | Vote:                          | --   |  |
|                 | Conditions of Approval:        | --   |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                                      |
|-----------------|--------------------------------|---|---|
| 40              | 31988<br>Special Use           | <p>Cheryl Smith<br/>A Child's Place Preschool;Lessee</p> <p>Request to continue occupying a the premises as a day care center for 23 children per shift 2 1/2 to 6 years of age, operating Monday - Friday 9:00 a.m. - 11:30 a.m.</p>   | <p>3353 S. Whitnall Av.<br/>A/K/A 3320 S. Howell Av.<br/>14th Dist.</p> |
|                 | Action:                        | Granted 10 yrs.   |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the facility does not exceed the capacity established by the State Department of Children and Families.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>                               |
|------------------------|---------------------------------------|--|---|
| 41                     | 32006<br>Use Variance                 | National Appraisal Corp.<br>Lessee<br><br>Request to continue occupying the premises as a general office.<br><br>Action: Granted 15 yrs.<br><br>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That this Variance is granted for a period of fifteen (15) years, commencing with the date hereof.  | 3359 S. 13th St.<br>14th Dist.  |
| 42                     | 32014<br>Special Use                  | Thomas Orlando<br>Lessee<br><br>Request to continue occupying a portion of the premises as a religious assembly hall.<br><br>Action: Granted 10 yrs.<br><br>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.<br><br>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.<br><br>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. | 2625 S. Greeley St. 1000<br>A/K/A 2615 S. Greeley St. 405<br>14th Dist. |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                       |
|-----------------|--------------------------------|--|--|
| 43              | 32031<br>Special Use           | Jeanette Barquet<br>Property Owner<br><br>Request to continue occupying the premises as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Friday 7:00 a.m. to 6:00 p.m.  | 3001 S. 13th St.<br>A/K/A 3003 S. 13th St.<br>14th Dist. |
|                 | Action:                        | Granted 10 yrs.  |  |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                          | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</li> <li>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>9. That a loading zone be obtained and maintained on South 13th Street.</li> <li>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u>   | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                                      |
|-----------------|----------------------------------|---|---|
| 44              | 32047<br>Dimensional<br>Variance | <p>PJR Properties<br/>Michael Isken;Property Owner</p> <p>Request to erect two freestanding signs that exceed the maximum allowed display area (allowed 32 sq.ft. / proposed 87.06 sq.ft.), the maximum allowed height (allowed 14 ft. / proposed 18 ft.), and three wall signs that exceed the maximum allowed display area (allowed 25 sq.ft. / proposed 39.1 sq.ft.).</p>  | <p>153 W. Oklahoma Av.<br/>A/K/A 175 W. Oklahoma Av.<br/>14th Dist.</p> |
|                 | Action:                          | Granted   |   |
|                 | Motion:                          | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.  |   |
|                 | Vote:                            | 4 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of<br>Approval:       | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That these Variances are granted to run with the land.</p> |   |

| <b><u>Item No.</u></b> | <b><u>Case No./ Case Type</u></b> | <b><u>Description</u></b>  | <b><u>Premises Address/Ald. Dist.</u></b>               |
|------------------------|-----------------------------------|--|---|
| 45                     | 31555<br>Special Use              | AJA Enterprise, LLC<br>Bevelyn Johnson;Property Owner<br><br>Request to continue occupying the premises as a group home for 8 occupants.   | 6401 N. 42nd St.<br>A/K/A 6403 N. 42nd St.<br>1st Dist. |
|                        | Action:                           | Granted 1 yrs.   |   |
|                        | Motion:                           | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |   |
|                        | Vote:                             | 3 Ayes, 1 Nays, 0 Abstained.   |   |
|                        | Conditions of Approval:           | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                           |
|-----------------|----------------------------|--|--|
| 46              | 31982<br>Special Use       | Bennie Galloway<br>Lessee<br><br>Request to occupy the premises as a day care center for 15 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 6:00 p.m. (this is a new operator).  | 1801 W. Galena St.<br>A/K/A 1551 A N. 18th St.<br>15th Dist. |
|                 | Action:                    | Granted 3 yrs.   |  |
|                 | Motion:                    | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |  |
|                 | Vote:                      | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:    | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M.</li> <li>6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use.</li> <li>8. That the storefront windows remain as transparent glass and are maintained in an attractive manner.</li> <li>9. That a Special Privilege is obtained to allow the fence on North 18th Street to continue to occupy the public right-of-way or that the fence is removed from the public right-of-way.</li> <li>10. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>12. That the fencing on the property complies with the requirements of MCO 295-505-4-f and is installed in a workmanlike manner.</li> <li>13. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                                   |
|-----------------|--------------------------------|--|--|
| 47              | 31766<br>Special Use           | LaQuisha Hanna<br>Lessee<br><br>Request to occupy the premises as a day care center for 45 children per shift infant to 12 years of age, operating 7:00 a.m. - 11:00 p.m. Monday - Sunday.   | 2806 W. Lisbon Av.<br>A/K/A 2806 A W. Lisbon Av.<br>15th Dist.       |
|                 | Action:                        | Adjourned  |  |
|                 | Motion:                        | Donald Jackson moved to adjourn this matter. Seconded by Martin Kohler.  |  |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | --   |  |
| 48              | 32029<br>Special Use           | Mike Malatesta<br>Advanced Waste Services, Inc.; Lessee<br><br>Request to continue occupying a portion of the premises as a heavy motor vehicle outdoor storage facility.  | 3801 W. Mc Kinley Av.<br>A/K/A 3801 L W. Mc Kinley Av.<br>15th Dist. |
|                 | Action:                        | Granted 3 yrs.   |  |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                             |
|-----------------|--------------------------------|--|--|
| 49              | 32034<br>Special Use           | Angela Cherry-Austin<br>Lessee<br><br>Request to occupy a portion of the premises as a 24 hour day care center for 50 children per shift infant to 13 years of age, operating Monday - Friday.   | 2245 N. 24th Pl.<br>A/K/A 2457 W. North Av.<br>15th Dist.      |
|                 | Action:                        | Adjourned  |  |
|                 | Motion:                        | Henry Szymanski moved to adjourn this matter. Seconded by Donald Jackson.  |  |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | --   |  |
| 50              | 32001<br>Special Use           | Sandra Austin<br>HWB Youth and Family;Lessee<br><br>Request to occupy the premises as a social service facility.   | 2401 N. 25th St.<br>A/K/A 2506 A W. Meinecke Av.<br>15th Dist. |
|                 | Action:                        | Granted 3 yrs.   |  |
|                 | Motion:                        | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |  |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</li> <li>5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</li> <li>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                      |
|-----------------|--------------------------------|---|---|
| 51              | 31627<br>Special Use           | Trees of Righteousness International Ministries<br>James Carter;Lessee    | 5268 N. 35th St.<br>A/K/A 5266 N. 35th St.<br>1st Dist. |
|                 |                                | Request to occupy a portion of the premises as a religious assembly hall. |   |
|                 | Action:                        | Dismissed   |   |
|                 | Motion:                        | Martin Kohler moved to dismiss the appeal. Seconded by Henry Szymanski.   |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.                                     |   |
|                 | Conditions of Approval:        | --  |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>   |
|-----------------|--------------------------------|--|--------------------------------------|
| 52              | 31901<br>Special Use           | Terry Sister's LLC<br>Lessee   | 6915 W. Fond Du Lac Av.<br>2nd Dist. |
|                 |                                | Request to increase the number of children from 68 to 86 per shift infant to 12 years of age, and increase the hours of operation from Monday - Friday 6:00 a.m. - midnight to 24 hours Monday - Sunday and continue occupying the premises as a day care center.  |                                      |
|                 | Action:                        | Granted  |                                      |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                      |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                      |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</p> <p>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>8. That unused driveways be removed and restored to City of Milwaukee specifications.</p> <p>9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>10. That the facility does not exceed the capacity established by the State Department of Children and Families.</p> <p>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 15, 2018.</p> |                                      |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 53              | 31902<br>Special Use           | Terry Sister's LLC<br>Lessee  | 6627 W. Capitol Dr.<br>2nd Dist.   |
|                 |                                | Request to increase the number of children from 68 to 87 per shift, to increase the days of operation from Monday - Friday to Monday - Sunday and continue occupying the premises as a 24 hour day care center for children infant to 12 years of age.  |                                    |
|                 | Action:                        | Granted   |                                    |
|                 | Motion:                        | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.  |                                    |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.   |                                    |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license.</li> <li>7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</li> <li>8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</li> <li>9. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</li> <li>10. That the facility does not exceed a capacity of 87 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 87 children.</li> <li>11. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on November 21, 2014.</li> </ol> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|---|------------------------------------|
| 54              | 31925<br>Special Use           | Rukiyabai Keval<br>Property Owner   | 5818 N. 97th St.<br>2nd Dist.      |
|                 |                                | Request to add an outdoor salvage operation to the existing motor vehicle repair facility.  |                                    |
|                 | Action:                        | Granted 3 yrs.  |                                    |
|                 | Motion:                        | Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.  |                                    |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.   |                                    |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That within 90 days the slatted chain link fence located in the rear of the property be replaced with a fence made of a solid material that is 100% opaque.</li> <li>5. That any outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris occurs inside the fenced-in area at the rear of the premises.</li> <li>6. That no work or storage of vehicles occurs in the public right-of-way.</li> <li>7. That vehicles not be parked on the driveway approach.</li> <li>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                              |
|-----------------|--------------------------------|--|---|
| 55              | 32057<br>Special Use           | Latisha Hickson<br>Prospective Buyer<br><br>Request to occupy the premises as a day care center for 49 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - 8:00 p.m. | 3435 W. Clybourn St.<br>A/K/A 3435 W. W Clybourn .<br>4th Dist. |
|                 | Action:                        | Dismissed  |   |
|                 | Motion:                        | Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | --   |   |
| 56              | 32035<br>Special Use           | Andrea Ward<br>Lessee<br><br>Request to occupy a portion of the premises as a home occupation.   | 1138 N. 33rd St.<br>4th Dist.                                   |
|                 | Action:                        | Dismissed  |   |
|                 | Motion:                        | Martin Kohler moved to dismiss the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | --   |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u>                   | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                    |
|-----------------|--|--|---|
| 57              | 32028<br>Special Use/<br>Dimensional<br>Variance | Dimitrios Jifas<br>Alexandra Jifas;Property Owner<br><br>Request to occupy the premises as a<br>rooming house that does not meet the<br>minimum required lot area per roomer<br>(required 4800 sq.ft. / proposed 4445<br>sq.ft.).  | 939 N. 17th St.<br>A/K/A 941 N. 17th St.<br>4th Dist. |
|                 | Action:  | Granted 5 yrs.   |   |
|                 | Motion:  | Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.  |   |
|                 | Vote:  | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of<br>Approval:                       | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for R-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That the petitioner obtains a Rooming House License from the Department of Neighborhood Services.</p> <p>7. That this Special Use and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>  | <u>Premises Address/Ald. Dist.</u>                    |
|-----------------|--------------------------------|---|---|
| 58              | 32012<br>Use Variance          | Northwest Lutheran School<br>Richard Laabs;Property Owner<br><br>Request to erect an automatic changeable message sign that exceeds the maximum allowed height (allowed 6 ft. / proposed 8 ft.) and maximum allowed area (allowed 27 sqft. / proposed 52.7 sqft.) . | 4119 N. 81st St.<br>5th Dist.                         |
|                 | Action:                        | Adjourned   |   |
|                 | Motion:                        | This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.   |   |
|                 | Vote:                          | --  |   |
|                 | Conditions of Approval:        | --  |   |
| 59              | 31960<br>Special Use           | Sunshine Johnson<br>Lessee<br><br>Request to occupy the premises as a 24 hour day care center for 51 children per shift infant to 12 years of age, operating Monday - Sunday.   | 2800 N. 4th St.<br>A/K/A 2808 N. 4th St.<br>6th Dist. |
|                 | Action:                        | Denied  |   |
|                 | Motion:                        | Donald Jackson moved to deny the request. Seconded by Henry Szymanski.  |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.   |   |
|                 | Conditions of Approval:        | --  |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                    |
|-----------------|--------------------------------|--|---|
| 60              | 32003<br>Special Use           | Tamara Johnson<br>Malaika Early Learning Center;Property<br>Owner<br><br>Request to increase the number of<br>children from 90 to 135 (70 day care<br>center, 65 school) per shift infant to 12<br>years of age, and continue occupying the<br>premises as a school and day care center<br>operating Monday - Friday 7:00 a.m. -<br>6:00 p.m.  | 125 W. Auer Av.<br>A/K/A 127 W. Auer Av.<br>6th Dist. |
|                 | Action:                        | Granted 10 yrs.  |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of<br>Approval:     | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>6. That the outdoor play area is not utilized before 9:00 A.M.</p> <p>7. That warning, parking and other regulatory signage associated with traffic control in school zones be installed as required.</p> <p>8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That the facility does not exceed a capacity of 135 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 135 children.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                              |
|-----------------|--------------------------------|--|---|
| 61              | 32018<br>Special Use           | Micah Glenn<br>Common Sense Group LLC;Prospective Buyer<br><br>Request to occupy the premises as a live-work unit.<br><br>Action: Granted 1 yrs.<br><br>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.<br><br>Vote: 3 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.<br><br>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.<br><br>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.<br><br>4. That signage is limited to one non-illuminated sign and that that sign not exceed an area of 6 square feet.<br><br>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof. | 2367 N. 4th St.<br>6th Dist.                                    |
| 62              | 31485<br>Special Use           | Lincoln's Dream<br>Michael Garland;Property Owner<br><br>Request to continue occupying the premises as a motor vehicle sales and repair facility, and car wash.<br><br>Action: Denied<br><br>Motion: Donald Jackson moved to deny the request. Seconded by Henry Szymanski.<br><br>Vote: 3 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: --   | 2711 W. Townsend St.<br>A/K/A 2715 W. Townsend St.<br>7th Dist. |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|----------------------------|--|------------------------------------|
| 63              | 31870<br>Special Use       | Milwaukee Materials, LLC<br>Brian Bjodstrup, Agent; Lessee<br><br>Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials.<br><br>Action: Granted 3 yrs.<br><br>Motion: Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.<br><br>Vote: 3 Ayes, 0 Nays, 1 C. Doyle Abstained.<br><br>Conditions of Approval: <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That if any of the existing buildings or natural vegetation that currently screens the premises is removed the premises then the premises must be landscaped and screened in accordance per the standards of city code section 295-405 for Type 'F' landscaping.</li> <li>5. That all dust is controlled on site.</li> <li>6. That the petitioner comply with regulations regarding loose materials in accordance with the standards of city code section 79-10-4.</li> <li>7. That all efforts be made to comply with Chapter 290 for Erosion Control and prevent the tracking of materials onto the city street.</li> <li>8. That stock pile heights comply with Chapter 295-805-4-h-2 within 30 days of the Board's decision.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol> | 3282 N. 35th St.<br>7th Dist.      |



| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 64              | 31880<br>Special Use           | Wesley Bryant<br>Lessee  | 4344 W. Capitol Dr.<br>7th Dist.   |
|                 |                                | Request to occupy the premises as a motor vehicle repair facility.   |                                    |
|                 | Action:                        | Granted 3 yrs.   |                                    |
|                 | Motion:                        | Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.   |                                    |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all repair work is conducted inside the building.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>7. That no work or storage of vehicles occurs in the public right-of-way.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for S-1 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p> |                                    |

| <u>Item No.</u> | <u>Case No./ Case Type</u>                       | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                                    |
|-----------------|--|--|---|
| 65              | 31743<br>Special Use/<br>Dimensional<br>Variance | Brian Bohmann<br>Property Owner<br><br>Request to occupy the premises as a contractor's yard without the minimum required landscaping.   | 2932 W. Forest Home Av.<br>A/K/A 2934 W. Forest Home Av.<br>8th Dist. |
|                 | Action:  | Granted 3 yrs.   |   |
|                 | Motion:  | Henry Szymanski moved to grant the appeal. Seconded by Martin Kohler.  |   |
|                 | Vote:  | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:                          | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the petitioner work with the Department of City Development and the Department of Neighborhood Services to develop a landscape plans that meets the intent of the Milwaukee Code of Ordinances.</li> <li>5. The parking area be paved within 6 months.</li> <li>6. That no materials, equipment, tires, pallets, tools etc. be stored in plain view of the public.</li> <li>7. That the activities performed on the property are not detrimental to the surrounding properties and neighborhood. Activities performed are related to the operation of the business and do not generate noise, dust, debris, or excessive storage of non business related items.</li> <li>8. That this Special Use and this Variance are granted for a period of three (3) years, commencing with the date hereof.</li> </ol> |   |

| <u>Item No.</u> | <u>Case No./ Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                        |
|-----------------|----------------------------|--|---|
| 66              | 31849<br>Special Use       | Jawad Hamayal<br>Lessee<br><br>Request to occupy a portion of the premises as a cash-for-gold business.                          | 823 S. Layton Bl.<br>A/K/A 725 S. Layton Bl.<br>8th Dist. |
|                 | Action:                    | Adjourned  |   |
|                 | Motion:                    | This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing. |   |
|                 | Vote:                      | --   |   |
|                 | Conditions of Approval:    | --   |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>                            |
|-----------------|--------------------------------|--|---|
| 67              | 31939<br>Special Use           | Warming Hearts Inc.<br>Lessee  | 3229 W. Lincoln Av.<br>A/K/A 3221 W. Lincoln Av.<br>8th Dist. |
|                 |                                | Request to occupy a portion of the premises as a second-hand sales facility.   |   |
|                 | Action:                        | Granted 5 yrs.   |   |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |   |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |   |
|                 | Conditions of Approval:        | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass per s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That applicant obtain BOZA approval for future uses as outlined in Plan of Operation.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p> |   |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u>   | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u>   |
|-----------------|----------------------------------|--|--|
| 68              | 31947<br>Dimensional<br>Variance | <p>Casandra Denevan<br/>Innovative Signs, Inc.;Other</p> <p>Request to allow 3 signs that exceed the maximum allowed number of signs per 25 ft. (allowed 1 / proposed 3) and that exceeds the maximum allowed display area (allowed 32 sq.ft. / proposed 125 sq.ft.).</p>  | <p>8917 W. Brown Deer Rd.<br/>A/K/A 8921 W. Brown Deer Rd.<br/>9th Dist.</p> |
|                 | Action:                          | Granted  |  |
|                 | Motion:                          | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |  |
|                 | Vote:                            | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |  |
|                 | Conditions of Approval:          | <p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>5. That these Variances are granted to run with the land.</p> |  |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 69              | 31875<br>Special Use           | Now Faith Missionary Baptist Church,<br>Inc.<br>Gregory L. Grose;Prospective Buyer<br><br>Request to occupy the premises as a<br>religious assembly hall.  | 5422 W. Center St.<br>10th Dist.   |
|                 | Action:                        | Granted 5 yrs.   |                                    |
|                 | Motion:                        | Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.   |                                    |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of<br>Approval:     | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</li> <li>5. That all signage be approved and installed according to the requirements of a sign permit.</li> <li>6. That all vehicles shall be parked on approved surfaces.</li> <li>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol> |                                    |

| <u>Item No.</u> | <u>Case No./<br/>Case Type</u> | <u>Description</u>   | <u>Premises Address/Ald. Dist.</u> |
|-----------------|--------------------------------|--|------------------------------------|
| 70              | 31970<br>Special Use           | G.S.S. Corporation<br>Property Owner   | 5572 S. 27th St.<br>13th Dist.     |
|                 |                                | Request to occupy the premises as a motor vehicle outdoor storage facility.  |                                    |
|                 | Action:                        | Granted 2 yrs.   |                                    |
|                 | Motion:                        | Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.   |                                    |
|                 | Vote:                          | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.  |                                    |
|                 | Conditions of Approval:        | <ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That The applicant work with the Department of City Development and the Department of Neighborhood Services to develop a signage plan that meets the intent of the Milwaukee Code of Ordinances.</li> <li>5. That there be no signage identifying the property as affiliated with the petitioner's motor vehicle sales facility.</li> <li>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</li> <li>7. That landscaping and screening in accordance to the plan submitted to the Board on August 20th, 2012 is implemented and maintained in a manner that meets the intent of city code.</li> <li>8. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</li> <li>9. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the light poles and raised planters to occupy the public right-of-way.</li> <li>10. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol> |                                    |

| <b><u>Item No.</u></b> | <b><u>Case No./<br/>Case Type</u></b> | <b><u>Description</u></b>   | <b><u>Premises Address/Ald. Dist.</u></b>                      |
|------------------------|---------------------------------------|---|--|
| 71                     | 32009<br>Dimensional<br>Variance      | Ron Thelen<br>Property Owner<br><br>Request to replace a portion of an existing sign with an automatic changeable message sign that exceeds the maximum allowed sign area (allowed 50 sq.ft. / proposed 92 sq.ft.). | 700 E. Layton Av.<br>A/K/A 700 A E. Layton Av.<br>13th Dist.   |
|                        | Action:                               | Dismissed   |  |
|                        | Motion:                               | Martin kohler moved to dismiss the appeal. Seconded by Henry Szymanski.   |  |
|                        | Vote:                                 | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.   |  |
|                        | Conditions of Approval:               | --  |  |
| 72                     | 31951<br>Use Variance                 | Atlas Outdoor Media, LLC<br>JoAnne Anton;Lessee<br><br>Request to allow an off-premise sign.  | 2463 S. St Clair St.<br>A/K/A 1210 E. Potter Av.<br>14th Dist. |
|                        | Action:                               | Adjourned   |  |
|                        | Motion:                               | This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.  |  |
|                        | Vote:                                 | --  |  |
|                        | Conditions of Approval:               | --  |  |
| 73                     | 31865<br>Special Use                  | Sara Mahmud<br>Property Owner<br><br>Request to occupy the premises as a general retail establishment.  | 3727 W. Galena St.<br>A/K/A 3727 A W. Galena St.<br>15th Dist. |
|                        | Action:                               | Adjourned   |  |
|                        | Motion:                               | Henry Szymanski moved to adjourn the request. Seconded by Martin Kohler.  |  |
|                        | Vote:                                 | 3 Ayes, 0 Nays, 1 C. Doyle Abstained.   |  |
|                        | Conditions of Approval:               | --  |  |



| <u>Item</u><br><u>No.</u> | <u>Case No./</u><br><u>Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
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|---------------------------|--------------------------------------|--------------------|------------------------------------|

**Other Business:**

Board member Donald Jackson moved to approve the minutes of the September 6, 2012 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for November 8, 2012.

Board member Donald Jackson moved to adjourn the meeting at 8:40 p.m.. Seconded by Board member Henry Szymanski. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

| <u>Item</u><br><u>No.</u> | <u>Case No./</u><br><u>Case Type</u> | <u>Description</u> | <u>Premises Address/Ald. Dist.</u> |
|---------------------------|--------------------------------------|--------------------|------------------------------------|
|---------------------------|--------------------------------------|--------------------|------------------------------------|